

Appendix.

OPINION AND JUDGMENT OF THE SUPREME COURT OF APPEALS
OF VIRGINIA DISMISSING PETITION OF ODELL WALLER FOR
WRIT OF HABEAS CORPUS.

VIRGINIA:

IN THE SUPREME COURT OF APPEALS HELD AT THE COURT
LIBRARY BUILDING IN THE CITY OF RICHMOND ON THURS-
DAY the 22nd day of January, 1942.

This day came Odell Waller, by counsel, and presented to the court his petition that a writ of habeas corpus issue directed to Rice M. Youell, Superintendent of the State Penitentiary, and whomever may hold said petitioner in custody, commanding him and them to have the body of petitioner before this court for the purpose of inquiring into the cause of the commitment and detention of said petitioner, with which petition were filed certain exhibits, to-wit: the record of the trial and conviction of petitioner in the Circuit Court of Pittsylvania county, the judgment in which was affirmed by this court on the 13th day of October, 1941; copy of order of the Circuit Court of Pittsylvania county, dated the 11th day of November, 1941, resentencing the petitioner; affidavit of petitioner dated the 3rd day of December, 1941; and affidavit of Martin A. Martin, dated the 3rd day of December, 1941; and the court having maturely considered the said petition and exhibits therewith, is of the opinion that the said writ of habeas corpus should not issue as prayed. It is therefore considered that the said petition be dismissed.

A copy, Teste:

(Signed) M. B. WATTS, Clerk

